

H-1790-1 - NATIONAL ENVIRONMENTAL POLICY ACT HANDBOOK

CHAPTER VI - MONITORING

A. General.

1. Monitoring Identified in the Decision-Document. Monitoring activities which are adopted in an appropriate decision document must be implemented as specified. All actions and mitigation measures, including monitoring and enforcement programs, adopted in a decision document are legally enforceable commitments. In an ROD on an EIS, monitoring and enforcement activities are usually prescribed as part of a mitigation strategy (40 CFR 1505.2(c)). The DR on an EA may also impose requirements for mitigation and related monitoring and enforcement activities.

2. Monitoring Not Identified in the Decision Document. Policy and procedural guidance for monitoring activities not identified in the decision document is provided in BLM Manual Section 1734. To the extent possible, all NEPA related monitoring should be coordinated with resource monitoring activities. Managers have a great deal of discretion in determining the appropriate level of NEPA related monitoring. At a minimum, managers are encouraged, though not required, to provide for monitoring to assure that their decisions are carried out (40 CFR 1505.2(c)).

B. Purposes of Monitoring. The level and intensity of monitoring varies according to the purpose being served. In exercising their authority to develop a NEPA related monitoring program, managers should carefully consider the purposes of monitoring. In the following discussion, three purposes of monitoring are discussed in terms of NEPA related activities.

1. To Ensure Compliance with Decisions. The NEPA requires that decisions be implemented in accordance with the appropriate decision document. Some level of monitoring is usually needed to ensure that actions taken comply with the terms, conditions, and mitigation measures identified in the decision. This type of monitoring is sometimes referred to as "decision tracking." Monitoring for compliance generally answers the following questions:

- a. Are actions being implemented in accordance with BLM's decision document(s)?
- b. What, if anything, is preventing or impeding implementation in accordance with the decision?
- c. Are priorities, if any, specified in the decision being followed?

H-1790-1 - NATIONAL ENVIRONMENTAL POLICY ACT HANDBOOK
Chapter VI. - Monitoring

2. To Measure the Effectiveness or Success of Decisions. Monitoring to determine if the decisions are achieving intended environmental objectives is another distinctly different purpose of monitoring. Unless specified in the decision document, monitoring of effectiveness is not required under NEPA. Program-specific guidance may require monitoring of this nature, otherwise it is done at the discretion of the responsible official. Effectiveness monitoring may be desirable for decisions covered by an EIS, particularly when mitigation measures are crucial to the achievement of environmental objectives. In some cases, decisions covered by an EA and a FONSI may also be monitored to ensure that the prediction of no significant impacts is accurate. Effectiveness monitoring is also useful for improving analytical procedures for future impact analyses and for designing mitigation and enhancement measures. It provides an empirical data base on impacts and effective mitigation measures. Such monitoring may lead to a determination to supplement an EIS. Monitoring for effectiveness generally answers the following questions:

- a. Are the actions and decisions achieving intended environmental objectives?
- b. Are the environmental impact predictions accurate?

3. To Evaluate the Validity of Decisions. Monitoring to determine if a decision continues to be the correct or appropriate decision over time is another important purpose of monitoring. It is not required by NEPA; however, it may be required or recommended in program-specific guidance. Otherwise it is done at the discretion of the responsible official. Evaluation monitoring goes beyond effectiveness monitoring and focuses on examining the validity of the environmental objectives. It is usually not routinely needed for all decisions covered by an EIS. But the manager should conduct such evaluations in critical program areas or on highly controversial or sensitive issues and decisions on a periodic basis, particularly when external conditions or influences have changed or are changing significantly. Evaluation monitoring may lead to a determination to reconsider decisions in a supplemental or completely new EIS. Monitoring to evaluate the continued validity of decisions generally answers the following questions:

- a. Are the intended environmental objectives or management prescriptions still correct or valid?
- b. Are the terms, conditions and mitigation measures still needed to achieve environmental objectives? (Are they greater than necessary or less than necessary to achieve environmental objectives?)

E-1790-1 - NATIONAL ENVIRONMENTAL POLICY ACT HANDBOOK
Chapter VI - Monitoring

C. Development of a Monitoring Plan. Except for monitoring activities specifically addressed in the decision document, the responsible manager has discretion in scheduling monitoring activities, determining monitoring approaches or methodologies, and establishing monitoring standards. A written monitoring plan is recommended. The plan should incorporate NEPA related monitoring schedules, approaches, and standards. (See BLM Manual Section 1734.25 for guidance on the content of monitoring and **evaluation** plans.) Several considerations to keep in mind in developing a monitoring plan for NEPA related activities and in programming and budgeting for such monitoring are discussed below:

1. Coverage. Generally, the goal for compliance monitoring is comprehensive coverage, i.e., all implementation actions are monitored for compliance with the decision. It is not, however, always necessary or feasible to monitor every action. In some cases, a sample of a set of similar actions may be monitored with some periodic checks to ensure that the sample is representative of the entire set. The number of decisions which require monitoring to determine effectiveness or to evaluate validity is more limited.

2. Frequency. The manager should attempt to develop a systematic (rather than random) pattern of periodic monitoring activities. Specific time frames should be established for each monitoring activity. The frequency of monitoring activities is likely to vary considerably based on the decision and the **resources** affected.

3. Intensity/Complexity. The intensity or complexity of the monitoring activity will vary according to how many variables need to be measured or assessed in order to answer the relevant questions. For example, compliance monitoring may only involve examination of one or two variables and conclusions may be relatively easy to reach. Effectiveness evaluations, on the other hand, tend to involve more complex analysis and require professional expertise in the interpretation of results. The intensity or complexity of the monitoring activity will guide the nature and extent of data collection and analysis. It will enable the manager to determine what data are needed, how they will be collected, who will collect them, how they will be stored and formatted, and how they will be analyzed.

4. Priorities. It is crucial that managers establish priorities for monitoring activities. Priorities are used in programming, budgeting and **annual** workplanning. Several situations or circumstances which may warrant high priority for monitoring are:

a. Decisions which authorize actions involving new or untested procedures or methods or where there is a high degree of uncertainty regarding the effects of the procedure or method may be given higher priority for monitoring.

E-1790-1 - NATIONAL ENVIRONMENTAL POLICY ACT HANDBOOK
Chapter VI - Monitoring

b. Impacts which were based on incomplete or unavailable information usually require high priority monitoring.

c. Areas where there are several uses or activities authorized by the decision may require a high priority for monitoring. In such cases, the uncertainty about the interactive effects of intensive multiple uses may warrant such monitoring.

d. Highly sensitive or important resource values may be identified for high priority monitoring, e.g., areas of critical environmental concern should be given a high priority for monitoring.. The relative value of resources plays a significant role in determining priorities for monitoring

e. Controversial or sensitive decisions, issues or impacts are usually included in monitoring plans.. The level of public concern about a particular decision, issue or environmental impact may be the basis for establishing priorities for monitoring.